Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by New Zealand

Article I

1. New Zealand views the commitment of nuclear-weapon States to non-transfer and other controls under this article as essential. This commitment is also important in the context of the threat of the acquisition of such items by non-State actors.

Article II

2. New Zealand fully meets its commitment under this article in all respects. New Zealand's obligations under the Treaty on the Non-Proliferation of Nuclear Weapons are legislated in the New Zealand Nuclear-Free-Zone, Disarmament and Arms Control Act 1987. New Zealand's concerns about compliance by other non-nuclear-weapon States parties to the Treaty have been expressed in various forums, for example at the General Conference of the International Atomic Energy Agency (IAEA).

Article III

3. The Safeguards Agreement between IAEA and New Zealand came into force on 29 February 1972, and the Model Additional Protocol to the Agreement was concluded on 24 September 1998. In 2001, IAEA assessed New Zealand as being in full compliance with all its safeguards commitments. With no nuclear weapons, no nuclear energy generation, no nuclear reactor and no production of uranium or other relevant material, New Zealand has only very minor activities subject to safeguards. New Zealand, as a State with a small quantities protocol, is supportive of the decision of IAEA and its efforts to modify the small quantities protocol to address the weakness in the safeguards system identified by the Agency.

4. New Zealand applies export controls to materials and dual-use goods that can be used in a nuclear weapons programme. It coordinates these with other members of the Nuclear Suppliers Group, which New Zealand joined in 1994.

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Article IV

5. New Zealand reaffirms the inalienable right of States parties to peaceful nuclear technology, as long as it is exercised in conformity with articles I, II and III of the Treaty.

6. New Zealand has rejected nuclear power generation for itself. New Zealand does not consider nuclear power compatible with the concept of sustainable development, given the long-term costs, both financial and ecological, of nuclear waste and the risk of nuclear proliferation.

7. New Zealand has been active at such forums as the IAEA General Conference in promoting close attention to the safe transport of radioactive materials and radioactive waste. New Zealand is concerned that there be the highest possible safety standards and that they be applied fully, that coastal and other interested States receive notification in advance of shipments and that adequate liability arrangements be in place.

Article V

8. New Zealand supports the outcome of the 1995 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference that article V should be interpreted in light of the Comprehensive Nuclear-Test-Ban Treaty.

9. New Zealand ratified the Comprehensive Nuclear-Test-Ban Treaty in March 1999. In New Zealand, the Treaty has been enacted in the Nuclear-Test-Ban Act 1999. A ban on nuclear testing is also included in the South Pacific Nuclear Free Zone Treaty and the New Zealand Nuclear-Free-Zone, Disarmament and Arms Control Act 1987.

Article VI

10. With its partners in the New Agenda Coalition, New Zealand has worked hard to promote the negotiations in good faith relating to the cessation of the nuclear arms race and to nuclear disarmament. In this context, New Zealand draws strength from the 1996 advisory opinion of the International Court of Justice on the illegality of the threat or use of nuclear weapons.

11. At the United Nations in 2006, New Zealand, with the New Agenda Coalition, was a lead sponsor of resolution 61/65 (Towards a nuclear weapon free world: accelerating the implementation of nuclear disarmament commitments), which highlighted the limited progress on many issues relating to the Treaty on the Non-Proliferation of Nuclear Weapons and called upon States to abide fully by their commitments.

12. At the Conference on Disarmament, New Zealand remains supportive of proposals for a programme of work, including on nuclear disarmament, fissile materials, negative security assurances and outer space. Commencement of negotiations in the Conference on Disarmament on a fissile material cut-off treaty without preconditions would make a significant contribution to nuclear disarmament and non-proliferation.

Article VII

13. New Zealand is a full party to the South Pacific Nuclear Free Zone Treaty of 1985 (the Treaty of Rarotonga, also enacted in the New Zealand Nuclear-Free-Zone, Disarmament and Arms Control Act 1987). All the independent countries of the South Pacific are now covered by the Treaty, and four of the nuclear-weapon States (the United Kingdom, China, France and the Russian Federation) have ratified protocols giving security assurances to the region. The United States of America has signed the protocols.

14. New Zealand continues to believe in the valuable contribution that nuclear-weapon-free zones can make towards nuclear disarmament. The establishment of a southern hemisphere nuclear-weapon-free zone remains a key objective for New Zealand and New Zealand works with Brazil in the United Nations General Assembly to advance this initiative.

Article VIII

15. New Zealand supports the text of the Treaty on the Non-Proliferation of Nuclear Weapons as it stands. New Zealand will participate fully in the eighth Review Conference of the Treaty and its Preparatory Committees.

Article IX

16. New Zealand continues to emphasize the importance of universalization of the Treaty on the Non-Proliferation of Nuclear Weapons, calling on India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States in accordance with article IX.

17. The Democratic People's Republic of Korea's announced withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons remains of concern to New Zealand. New Zealand strongly supports the six party talks and hopes that this process will eventually lead to the return of the Democratic People's Republic of Korea to active membership of the Treaty, meeting its NPT obligations and resuming cooperation with IAEA.

Article X

18. New Zealand joined the consensus decision in 1995 that the Treaty on the Non-Proliferation of Nuclear Weapons be extended indefinitely. The 1995 Review Conference on the Treaty on the Non-Proliferation of Nuclear Weapons adopted a package of decisions in 1995: strengthening the review process; Principles and Objectives for Nuclear Non-Proliferation and Disarmament; extension of the Treaty; and the resolution on the Middle East. All these elements remain extant. In New Zealand's view, the extension of the Treaty on the Non-Proliferation of Nuclear Weapons was not a permit for the indefinite possession of nuclear weapons.

Thirteen steps

1. The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

19. New Zealand ratified the Comprehensive Nuclear-Test-Ban Treaty in March 1999, having taken an active part in its negotiation. At the United Nations General Assembly in 2006, New Zealand was a core sponsor of resolution 61/104 (Comprehensive Nuclear-Test-Ban Treaty), which reiterated the call for universal ratification of that Treaty. In 2006, New Zealand co-sponsored a joint ministerial statement on the Treaty, which Ministers delivered in New York. New Zealand works closely with the Provisional Technical Secretariat in Vienna on issues relating to the Treaty. Pending ratification of the Treaty, New Zealand has been active in the establishment of an International Monitoring System for the Comprehensive Nuclear-Test-Ban Treaty and has set up six monitoring stations on its territory. New Zealand cooperates closely with Fiji, the Cook Islands and Kiribati on the installation of monitoring stations in the Pacific region.

2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.

20. New Zealand endorsed a joint ministerial statement on the Comprehensive Nuclear-Test-Ban Treaty in 2006, which called upon "all States to continue a moratorium on nuclear-weapon-test explosions or any other nuclear explosions" pending official ratification of the Treaty. New Zealand has worked with Pacific countries to put in place the South Pacific Nuclear Free Zone Treaty, which bans nuclear testing. Twenty years ago New Zealand also established a New Zealand nuclear-free-zone with the passage of the New Zealand Nuclear-Free-Zone, Disarmament and Arms Control Act 1987.

3. The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work, which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

21. New Zealand has actively supported moves to overcome the inability of the Conference on Disarmament to agree a programme of work. We support the current six Presidents' proposal which would see a negotiation commencing on a fissile material cut-off treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space.

4. The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

22. New Zealand supports efforts in the Conference on Disarmament to agree on a programme of work, in particular the current proposal of the six Presidents, which would see the commencement of negotiations on a fissile material cut-off treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space.

5. The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

23. New Zealand has argued, in partnership with the New Agenda Coalition, that irreversibility in nuclear disarmament, nuclear reductions and other related nuclear arms control measures is imperative. The New Agenda Coalition resolution to the United Nations General Assembly in 2006 (61/65) reaffirmed that nuclear disarmament and non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts.

6. An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to the nuclear disarmament to which all States parties are committed under article VI.

24. New Zealand, in partnership with the New Agenda Coalition, urges States to live up to the unequivocal undertaking jointly agreed at the 2000 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference, for the total elimination of nuclear arsenals. This undertaking remains extant. New Zealand has reminded States of their obligations through various statements in the context of the Treaty on the Non-Proliferation of Nuclear Weapons. The unequivocal undertaking on the part of all Treaty signatory States is a foundation on which the New Agenda Coalition continues to build.

7. The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM (Anti-Ballistic Missile) Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

25. New Zealand notes that START II and START III have been discarded following the withdrawal of the United States from the Treaty on the limitation of Anti-Ballistic Missile systems in 2002. The Moscow Treaty (2002) represents a positive first step in the process of nuclear de-escalation between the United States and the Russian Federation, through undertakings to reduce the numbers of deployed strategic nuclear warheads. However, New Zealand emphasizes, through the New Agenda Coalition, that reductions in deployments and in operational status cannot substitute for irreversible destruction of weapons towards the goal of total elimination of nuclear weapons.

8. The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

26. New Zealand supports the Trilateral Initiative between the United States of America, the Russian Federation and IAEA.

9. Steps by all nuclear-weapon States leading to nuclear disarmament in a way that promotes international security for all:

- *Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally.*
- *Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant*

to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.

- *The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.*
- *Concrete agreed measures to further reduce the operational status of nuclear weapon systems.*
- *A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination.*
- *The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.*

27. New Zealand supports the full range of measures outlined in this step and remains committed to achieving progress on these measures in the next review cycle.

10. Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside of military programmes.

28. New Zealand recognizes and welcomes the fact that all non-nuclear-weapon States have already accepted full controls on fissile materials. These controls are verified and administered by IAEA. New Zealand urges nuclear-weapon States to adopt similar commitments in this area.

29. New Zealand supports the early negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material or other nuclear explosive devices. New Zealand welcomes efforts currently under way in the Conference on Disarmament to secure negotiations on a fissile material cut-off treaty.

11. Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

30. The New Zealand Government engages in a wide range of disarmament work relating to weapons of mass destruction and conventional weapons. Through active membership of the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological Weapons Convention, New Zealand campaigns for progress towards the total elimination of weapons of mass destruction. New Zealand is also playing a leading role in international efforts to better regulate the use of certain conventional weapons, particularly cluster munitions. There is close cooperation between New Zealand and Pacific neighbours on efforts to reduce and control the illicit trade in small arms and light weapons. New Zealand also belongs to four major export control regimes: the Australia Group, the Wassenaar Arrangement, the Nuclear Suppliers Group and the Missile Technology Control Regime.

12. Regular reports, within the framework of the NPT strengthened review process by all States parties on the implementation of article VI and paragraph (4) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

31. New Zealand submitted a report to the seventh review conference of the Treaty on the Non-Proliferation of Nuclear Weapons which set out New Zealand's progress with regard to each article of the Treaty.

13. The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

32. New Zealand has given strong support to a system of strengthened IAEA safeguards, including in regional disarmament discussions. The IAEA safeguards system is an essential component of the global non-proliferation regime. IAEA safeguards provide assurance that States are meeting their undertakings under the Treaty and provide the mechanism for States to demonstrate their compliance. Universal application of the integrated safeguards system, including the Additional Protocols, would promote collective security. New Zealand continues to call upon those States which have not yet concluded any safeguards agreement with IAEA to do so at the earliest possible date.

Resolution on the Middle East: New Zealand progress

Operative paragraph 1

33. The New Zealand Government's long-standing policy has been to take a balanced and constructive approach to the Arab-Israeli conflict. New Zealand upholds Israel's right to exist within secure and recognized borders. At the same time, New Zealand considers that the Palestinians have the right to self-determination and to a viable and territorially contiguous state. New Zealand supports the negotiation of a just, enduring and comprehensive peace settlement in the Middle East, in line with relevant United Nations Security Council resolutions, including Security Council resolutions 242 (1967) and 338 (1973) and the principles derived from successive agreements between the two parties. Any change or departure from the pre-1967 borders would have to be subject to agreement by both sides.

34. New Zealand also supports wider stabilization efforts through diplomacy, peacekeeping deployments, targeted aid assistance and diplomatic support for international negotiations.

Operative paragraph 2

35. New Zealand, in partnership with the New Agenda Coalition, emphasizes the importance of universal accession to the Treaty on the Non-Proliferation of Nuclear Weapons. New Zealand calls upon all States that have not yet done so, including Israel, to sign and ratify the Treaty, and to bring into force comprehensive IAEA safeguards.